



Crl.OP(MD)No.18819 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2025

CORAM

THE HONOURABLE **Mr.JUSTICE SUNDER MOHAN**

Crl.OP(MD)No.18819 of 2025 &
Crl.M.P.(MD)Nos.15615 & 15617 of 2025

1.Nithin
2.Harish
3.Renishraj
4.Ronald Jaise Leej
5.Raveendran @ Ravindran
6.Vishnu
7.Ins
8.Abisek @ Abisheak
9.Enoch
10.Rathesh
11.Sivaraj

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Aralvoimozhi Police Station,
Kanyakumari District.
(Crime No.116 of 2021)

2.Manikandan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS to call for the records in C.C.No.150 of 2023 on the file of the Judicial Magistrate Court, Bhoothapandy and quash the same against the petitioner.



Crl.OP(MD)No.18819 of 2025

For Petitioners : Mr.P.Suresh
For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
for R1

ORDER

This Criminal Original Petition has been filed to quash the impugned final report filed in C.C.No.150 of 2023 for the offences under Sections 143, 283, 290, 171(F), 511 of Indian Penal Code, 1860, Section 123(1)(A)(a) of Representation of People Act, 1951 and Section 5 of Tamil Nadu Open Places (Prevention of Disfigurement Act), 1959.

2. The allegation in the final report is that the petitioners along with others had assembled unlawfully and in order to show their strength, they had lined up their vehicles, went in a procession, caused nuisance to the general public and thus, committed the aforesaid offences.

3. The learned counsel for the petitioners would submit that the alleged occurrence took place on 13.03.2021; that the offences alleged against the petitioners are punishable with the maximum imprisonment of one year imprisonment ; that under Section 468(2)(b) of the Criminal Procedure Code, the first respondent Police ought to have filed final



report within a period of one year; that they had filed the final report only on 12.02.2023 and that no petition has been filed to condone the delay and hence, the impugned prosecution is liable to be quashed.

4. The learned Additional Public Prosecutor submitted that the allegations would constitute the offences alleged and sought for dismissal of the quash petition.

5. The offences for which the petitioners are accused of and the maximum imprisonment provided is as follows:

<i>S.No</i>	<i>Offences Alleged</i>	<i>Maximum sentence</i>
<i>1</i>	<i>143 IPC</i>	<i>six months imprisonment</i>
<i>2</i>	<i>283 IPC</i>	<i>Fine upto Rs.200/-</i>
<i>3</i>	<i>290 IPC</i>	<i>Fine upto Rs.200/-</i>
<i>4</i>	<i>171(F) IPC</i>	<i>one year imprisonment</i>
<i>5</i>	<i>511 IPC</i>	<i>one-half of the maximum imprisonment prescribed for the original offence</i>
<i>6</i>	<i>123(1)(A)(a) of Representation of People Act</i>	<i>Not a penal provision</i>
<i>7</i>	<i>5 of TN Open Places (Prevention of Disfigurement) Act</i>	<i>one year imprisonment</i>



Crl.OP(MD)No.18819 of 2025

6. Since the maximum sentence that can be imposed on the petitioners is one year imprisonment, the first respondent police ought to have filed the final report within one year as provided under Section 468(2)(b) of the Criminal Procedure Code. However, they had filed the final report only on 12.02.2023.

7. At this juncture, the learned Additional Public Prosecutor fairly submitted that no petition was filed to condone the delay in filing the belated final report and there is no justifiable reason for the delay.

8. Hence, this Court is of the view that the impugned prosecution is barred by limitation and is liable to be quashed. Accordingly, the impugned final report in C.C.No.150 of 2023 on the file of the Judicial Magistrate Court, Bhoothapandy is quashed and this Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petitions are closed.

03.11.2025

mbi/ars



Crl.OP(MD)No.18819 of 2025

To

1.The Inspector of Police,
Aralvoimozhi Police Station,
Kanyakumari District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.OP(MD)No.18819 of 2025

SUNDER MOHAN, J.

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CrI.OP(MD)No.18819 of 2025

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